

**United States District Court  
District of Massachusetts**

ROBERT J. HARRINGTON, et al.,

Civil Action No. 04-12558-NMG

*Plaintiffs,*

*v.*

DELTA AIR LINES, INC., et al.,

*Defendants.*

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**PLAINTIFF'S MOTION FOR LEAVE TO FILE A SINGLE MEMORANDUM 51  
PAGES IN LENGTH AND TO EXTEND THE TIME FOR FILING**

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*First*, the plaintiffs request leave of the Court to file a single memorandum, 51 pages in length (including table of contents and table of authorities), in opposition to the six motions to dismiss filed by the following defendants:

- (1) The eight Domestic Defendants (Alaska Airlines, American Airlines, Continental Airlines, Delta Air Lines, Northwest Airlines, Southwest Airlines, as the Airlines Reporting Corporation (“ARC”), and the Air Transport Assoc. of America (“ATA”)) (docket #59).
- (2) ATA (separately) (docket #62).
- (3) Aer Lingus Ltd. (“Aer Lingus”) (docket #66).
- (4) Alitalia-Linee Aeree Italiane S.p.A. (“Alitalia Airlines”) (docket #67).
- (5) British Airways, PLC (“British Airways”) (docket #68).
- (6) Deutsche Lufthansa A.G. (“Lufthansa Airlines”) (docket #69).

Since many of the arguments made are identical, similar, or overlapping, a combined opposition is the most efficient way to address these various motions.

*Second*, the plaintiffs request an extension of the time in which to file the combined

opposition to the defendants' various motions to dismiss, until October 15, 2005. (The plaintiffs' combined opposition is being filed concurrently with this Motion.)

The opposition to these new motions has required significantly more time to prepare than plaintiffs anticipated—owing to the fact that plaintiffs' counsel recently changed firms (and office locations) and the attorney primarily responsible for preparing the memorandum of law has for several months been (and indeed remains) out of the country. The plaintiffs therefore request an enlargement of the time for filing, until the date of filing of this Motion. Finally, this delay is unlikely to prejudice any of the parties, since the document in question is submitted concurrently with this Motion.

Respectfully submitted,  
*Counsel for the Plaintiffs:*

/s/ Evans J. Carter

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**Local Rule 7.1(a)(2) Certification**

I certify that counsel for the plaintiffs attempted in good faith to resolve the issues presented in this motion with counsel for the defendants but was unable to do so.

/s/ Evans J. Carter

Evans J. Carter

Dated: October 15, 2005